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7                   UNITED STATES DISTRICT COURT  
8                   WESTERN DISTRICT OF WASHINGTON  
9                   AT SEATTLE

10 TERRI HOSELTON,

Case No. C23-5779RSM

11                   Plaintiff,

ORDER DENYING MOTION TO  
REMAND AND MOTION TO TRANSFER

12                   v.

13 WASHINGTON STATE DEPARTMENT OF  
14 ECOLOGY,

15                   Defendant.

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17         This matter comes before the Court on Plaintiff Terri Hoselton's Motion to Remand,  
18 Dkt. #11, and Motion to Transfer Case, Dkt. #13. Defendant Washington State Department of  
19 Ecology opposes both Motions. Dkts. #12 and #14. Plaintiff has filed no reply briefing.  
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21         Plaintiff first asks to remand this case to state court "pursuant to 28 U.S.C. § 1447(c)." Dkt. #11 at 2. However, that statute only permits remand of cases that were originally filed in  
22 state court and removed to federal court. As Plaintiff acknowledges in her Motion, this case  
23 was originally filed in this Court. *Id.* at 1. Accordingly, Plaintiff's Motion to Remand is  
24 properly denied.  
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26         Plaintiff next asks to transfer this case to state court based on that court's jurisdiction  
27 over the regulations and statutes that affect the Plaintiff's action. Dkt. #13 at 2. Plaintiff is  
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1 asking for the Court to “help establish continuity of plaintiffs’ effort to address these matters  
2 with regards to deadlines and statutes of limitations.” *Id.* Plaintiff cites no legal basis for the  
3 Court to transfer this case under these circumstances.

4 Defendant argues that this case cannot be transferred to state court under these  
5 circumstances, and Plaintiff offers no argument to the contrary. The Court is not aware of any  
6 basis to transfer this case to state court and believes the proper procedure is for Plaintiff to file a  
7 new action in state court.

9 On November 7, 2023, the Court granted Defendant’s Motion to Dismiss and dismissed  
10 Plaintiff’s claims without prejudice and with leave to amend within thirty days. That deadline  
11 has now passed, and this case will be closed.  
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13 Having considered the briefing from Plaintiff and the remainder of the record, the  
14 Court hereby FINDS and ORDERS that Plaintiff’s Motions, Dkts. #11 and #13, are  
15 DENIED. This case is CLOSED.

16 DATED this 18<sup>th</sup> day of January, 2024.  
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20 RICARDO S. MARTINEZ  
21 UNITED STATES DISTRICT JUDGE  
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